



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: October 14, 2014

CM/ACM VS
Finance DN
DA ✓
Risk Mgmt
HR N/A
Other N/A

DATE: September 18, 2014

TO: Board of County Commissioners

FROM: Dwayne Smith, P.E., Division Director, Engineering and Capital Projects
Community Services Department, 328-2043, desmith@washoecounty.us

THROUGH: Dave Solaro, Arch., P.E., Director
Community Services Department, 328-2040, dsolaro@washoecounty.us

SUBJECT: Approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between Washoe County, City of Reno, City of Sparks and the Regional Transportation Commission (RTC) for projects included in the RTC's Fiscal Year 2015/2016 Regional Road Impact Fee Street and Highway Program of Projects, and the Fiscal Year 2015/2016 Fuel Tax Street and Highway Program of Projects. (All Commission Districts.)

SUMMARY

The Regional Transportation Commission (RTC) has requested that the subject local agencies enter into an Interlocal Cooperative Agreement for the design, property acquisition (where necessary), construction engineering, and construction of specific projects contained in the RTC's Regional Road Impact Fee Street and Highway Program of Projects and the Fuel Tax Street and Highway Program of Projects.

Staff has reviewed the list of recommended regional roadway projects and is in concurrence with those recommendations.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

PREVIOUS ACTION

On September 19, 2014, the RTC Board approved the FY 2016 Program of Projects.

On October 8, 2013, the Board of County Commissioners (Board) approved the Interlocal Cooperative Agreement for Projects for FY 2014/2015.

On October 23, 2012, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2013/2014.

On November 8, 2011, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2012/2013.

On October 26, 2010, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2011/2012.

AGENDA ITEM # 1053

On November 10, 2009, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2010/2011.

On October 28, 2008, the Board approved the Interlocal Cooperative Agreement for Projects for FY 2009/2010.

BACKGROUND

The RTC's Technical Advisory Committee (TAC), which includes planning and public works representatives from Reno, Sparks, and Washoe County, recommends to the RTC Board an annual Street and Highway Program of Projects to be funded using fuel tax funds, sales tax funds and Regional Road Impact Fees. The TAC also recommends amendments to the programs as necessary to meet changing conditions and regional needs. This program identifies specific projects and proposed funding allocations for various activities such as design, construction/right-of-way, construction engineering, etc. Pursuant to the provisions of NRS 373.140, agreements between the RTC, City of Reno, City of Sparks, and Washoe County, are necessary to proceed with the work contained in these programs. The specific agreement brought forward at this time will authorize certain work activities contained in the current Street and Highway Program of Projects. Timely approval of this agreement will enable vital regional projects, scheduled to start construction in 2015, to proceed on schedule.

Staffs from Washoe County, RTC, and the Cities of Reno and Sparks are finalizing the preventative maintenance list of streets to be completed in the next construction cycle. Washoe County streets will be included in that portion of work.

FISCAL IMPACT

There is no fiscal impact associated with the approval of this Interlocal Cooperative Agreement.

RECOMMENDATION

It is recommended the Board of County Commissioners approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between Washoe County, City of Reno, City of Sparks and the Regional Transportation Commission for projects included in the RTC's Fiscal Year 2015/2016 Regional Road Impact Fee Street and Highway Program of Projects, and the Fiscal Year 2015/2016 Fuel Tax Street and Highway Program of Projects.

POSSIBLE MOTION

Should the Board agree with staff's recommendations, a possible motion would be: "Move to approve an Interlocal Cooperative Agreement Approving RTC Program of Projects between Washoe County, City of Reno, City of Sparks and the Regional Transportation Commission for projects included in the RTC's Fiscal Year 2015/2016 Regional Road Impact Fee Street and Highway Program of Projects, and the Fiscal Year 2015/2016 Fuel Tax Street and Highway Program of Projects."

**INTERLOCAL COOPERATIVE AGREEMENT
APPROVING RTC PROGRAM OF PROJECTS**

This Agreement is made and executed this ____ day of _____, 2014, by and between the Board of Commissioners of Washoe County, Nevada, hereinafter referred to as "County", the City Council of Reno, Nevada, hereinafter referred to as "Reno", the City Council of Sparks, Nevada, hereinafter referred to as "Sparks", and the Regional Transportation Commission of Washoe County, hereinafter referred to as "RTC".

WITNESSETH:

WHEREAS, on September 19, 2014, the RTC approved the FY 2016 Program of Projects listed on Exhibit A attached to this Agreement. Each project on Exhibit A is referred to herein as a "Project" and all of such Projects are collectively referred to herein as the "Projects".

WHEREAS, the Projects will require pavement maintenance, rehabilitation, reconstruction, new construction or engineering and environmental analysis, and may require the acquisition of real property through consensual agreements with the owners or through eminent domain proceedings; and

WHEREAS, pursuant to the requirements of NRS 373.140, NRS 377A.080 and the Regional Road Impact Fee (RRIF) Program, the County, Reno, Sparks, and RTC desire by this Agreement to authorize the Projects and to set forth each entity's respective responsibilities with respect to the Projects.

NOW, THEREFORE, pursuant to the provisions of NRS 373.140, NRS 377A.080, NRS Chapter 277A, and the RRIF Ordinances/Manuals, and in consideration of the mutual promises contained herein and for other good and valuable consideration, it is hereby agreed by and between the parties hereto as follows:

I. APPROVAL OF PROJECTS

A. Reno, the County and Sparks hereby approve each and every Project and authorize the RTC to design, survey, engineer, acquire through purchase or eminent domain real property for, and construct, each of the Projects. Approval for any Project for any fiscal year shall be approval for all continued work by or on behalf of the RTC on that Project for any later

fiscal year. The RTC may expend money from one or more than one of the Regional Street and Highway Fund (the "Fuel Tax Fund"), the Transportation Sales Tax Fund (the "Sales Tax Fund") or the Regional Road Impact Fee Fund (the "RRIF Fund") on each Project as listed on the column next to the Project on Exhibit A. The cost of each Project is estimated by the RTC as shown on Exhibit A. These costs are only estimates and the RTC may expend additional monies from any one or more of the Fuel Tax Fund, the Sales Tax Fund or the RRIF Fund on each Project as such additional expenditures are reviewed and approved by the RTC Staff and/or the RTC Board of Commissioners pursuant to the RTC's policies and procedures.

B. Reno, the County and Sparks hereby authorize the RTC to adopt an appropriate resolution of condemnation and initiate and prosecute to judgment such eminent domain proceedings as may be necessary for the acquisition of such property within their respective jurisdictions as the RTC deems necessary for the construction and/or maintenance of any Project and, if prudent, future expansions of each Project identified by the Regional Transportation Plan.

II. RTC DUTIES

RTC agrees to perform the followings tasks and the County, Reno and Sparks hereby authorize the RTC to do so:

A. Provide all required services, including but not limited to design, environmental assessments and studies, surveying, construction engineering, construction management and quality assurance inspection, utilizing RTC staff and/or qualified consultants;

B. Obtain appraisal reports for any property being considered as necessary for the implementation of any Project and, if prudent, future expansions of the Project identified within the Regional Transportation Plan, conduct preliminary negotiations with the owners in an effort to arrive at a mutually agreeable purchase price and negotiate, execute and close contracts to purchase the property;

C. Offer not less than the appraisal value for the property and property rights deemed necessary for a Project and, where the prospect of reaching a mutually agreeable purchase price appears unlikely following reasonable negotiations, cause the RTC Board of Commissioners to adopt a "Resolution of Condemnation" finding that particular properties are necessary to the

success of a Project and authorize legal counsel to seek acquisition through eminent domain proceedings;

D. Coordinate all activities related to a Project including, but not limited to, advertising, receipt and review of construction bids, and execution of a contract with the contractor submitting the lowest responsive and responsible bid;

E. Maintain necessary files on each Project;

F. Pay all authorized Project costs from the Fuel Tax Fund, the RRIF Fund or the Sales Tax Fund. Payments for construction or engineering services will be paid to the contractor or consultant upon receipt of a claim or claims which have been certified as a true and correct account of the expenses incurred as a result of or in conjunction with the provisions of a contract entered into as a result of this Agreement. All submitted claims will have supporting documents attached which substantiate the basis of the claim. Such claim or claims shall be reviewed and approved in accordance with the policies and procedures of the RTC; and

G. Not permit the payment of non-reimbursable or non-payable items established by the policies and procedures of the RTC.

III. COUNTY'S, RENO'S AND SPARK'S DUTIES

The County, Reno and Sparks shall do the following:

A. Cooperate with RTC and its consultants in all phases of each Project located within their respective jurisdictions;

B. Assist the RTC in communicating with the public regarding the Project(s) located within their respective jurisdictions;

C. Accept ownership of and maintain each Project located wholly or partially within their respective jurisdictions upon completion of construction;

D. Upon notification from the RTC, require utilities having franchise agreements that require relocation to relocate their facilities prior to award of the Project in accordance with the franchise agreement; for utilities that do not address the issue of relocation in the franchise

agreement, require relocation of the subject facilities prior to the award of the Project if state law provides authority to do so; and

E. Coordinate development and administration of the Project with the RTC.

This Agreement is effective from and after the date first above written.

APPROVED AS TO LEGALITY AND FORM

BY: _____
RTC GENERAL COUNSEL

**REGIONAL TRANSPORTATION COMMISSION
OF WASHOE COUNTY**

BY: _____
BONNIE WEBER, CHAIR

State of Nevada
County of Washoe

This FY 2015/16 Interlocal Cooperative Agreement was acknowledged before me this _____ day of _____, 2014, by Bonnie Weber, as Chair of the Regional Transportation Commission of Washoe County.

Notary Public

**BOARD OF COMMISSIONERS,
WASHOE COUNTY, NEVADA**

By: _____
CHAIRMAN

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: _____
WASHOE COUNTY CLERK

BY: _____
ATTORNEY

CITY COUNCIL OF RENO, NEVADA

By: _____
MAYOR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: _____
RENO CITY CLERK

BY: _____
DEPUTY CITY ATTORNEY

CITY COUNCIL OF SPARKS, NEVADA

BY: _____
MAYOR

ATTEST:

APPROVED AS TO FORM AND CONTENT:

BY: _____
SPARKS CITY CLERK

BY: _____
DEPUTY CITY ATTORNEY

EXHIBIT A

RTC PROGRAM OF PROJECTS 2015/2016

PROPOSED RTC FISCAL YEAR (FY) 2016 PROGRAM OF PROJECTS (POP) **PAVEMENT PRESERVATION AND CORRIDOR IMPROVEMENT PROJECTS**

*** ACTIVITY CODES**

C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)

D = DESIGN

N = ENVIRONMENTAL (NEPA, INCLUDES PRELIMINARY DESIGN)

P = PLANNING

R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUSLY APPROVED AMOUNT	ACTIVITY*	FY 16 POP FUNDS (PROPOSED) AMOUNT	TOTAL FUNDS PROGRAMMED (PROPOSED)
2015 PREVENTIVE MAINTENANCE (2015) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$3,559,493	RTC FUEL TAX RTC SALES TAX	\$0 \$3,559,493 \$3,559,493	D, C		\$0 \$3,559,493 \$3,559,493
2015 CORRECTIVE MAINTENANCE (2015) VARIOUS REGIONAL ROADS	PAVEMENT PRESERVATION	\$1,017,786	RTC FUEL TAX	\$924,900	D, C	\$92,886	\$1,017,786
GOLDEN VALLEY ROAD & CARLYLE DRIVE (N/A) YORKSHIRE TO N. VIRGINIA & MONTGOMERY TO YORKSHIRE (N)	PAVEMENT PRESERVATION		RTC FUEL TAX	\$92,886		-\$92,886	
MAYBERRY DRIVE (2015) HUNTER LAKE TO CALIFORNIA	PAVEMENT PRESERVATION	\$1,135,000	RTC FUEL TAX	\$1,135,000	D, C		\$1,135,000
2015 ADA PEDESTRIAN TRANSITION IMPROVEMENT PLAN (2015) VARIOUS REGIONAL ROADS	AMERICAN DISABILITY ACT TRANSITION PLAN	\$600,000	RTC FUEL TAX	\$600,000	D, C		\$600,000
4TH & PRATER BUS RAPID TRANSIT PROJECT (2017) EVANS TO PYRAMID	CORRIDOR/TRANSIT CAPACITY IMPROVEMENT	\$48,300,000 (EXCLUDES TRANSIT VEHICLES)	RTC FUEL TAX RTC SALES TAX FEDERAL STP/TIGER	\$2,100,000 \$2,000,000 \$4,100,000		\$5,850,000 R, C \$4,150,000 R, C \$16,000,000 C	\$5,850,000 \$6,250,000 \$18,000,000 \$30,100,000
PRATER WAY ENHANCEMENTS PHASE 4 (2015) 22ND TO 20TH	CORRIDOR IMPROVEMENT	\$1,500,000	RTC FUEL TAX FED ENHANCEMENT	\$850,000 \$650,000 \$1,500,000	D, R C		\$850,000 \$650,000 \$1,500,000
VIRGINIA STREET MIDTOWN & RTC RAPID EXTENSION TO UNR (2017) PLUMB TO LIBERTY & MAPLE TO 19TH	CORRIDOR/TRANSIT CAPACITY IMPROVEMENT	\$24,350,000 (EXCLUDES TRANSIT VEHICLES)	RTC FUEL TAX FTA CMAQ	\$598,000 \$510,000 \$1,108,000	D, N		\$598,000 \$510,000 \$1,108,000
VIRGINIA STREET- TRUCKEE BRIDGE REPLACEMENT (2015) FUNDING DIRECTLY TO CITY OF RENO, THROUGH SEPARATE INTERLOCAL AGREEMENT	BRIDGE REPLACEMENT	\$21,233,000	RTC FUEL TAX STATE BRIDGE REPL TRFMA CITY OF RENO	\$10,000,000 \$7,250,000 \$1,873,000 \$19,223,000			\$10,000,000 \$7,250,000 \$1,873,000 \$19,223,000

RTC FUEL/SALES TAX SUMMARY:	PREVIOUSLY APPROVED	FY 16 POP FUNDS (PROPOSED)	PROPOSED TOTAL
RTC FUEL TAX	\$4,200,786	\$26,000,000	
RTC SALES TAX	\$5,659,493	\$0	
FEDERAL/OTHER NON RTC:	\$22,383,000	\$16,000,000	
TOTAL:	\$32,243,279	\$42,000,000	\$74,243,279

PROPOSED RTC FISCAL YEAR (FY) 2016 PROGRAM OF PROJECTS CAPACITY AND CONGESTION RELIEF

• ACTIVITY CODES

C = CONSTRUCTION (INCLUDES CONSTRUCTION SERVICES)

D = DESIGN

N = ENVIRONMENTAL (NEPA, INCLUDES PRELIMINARY DESIGN)

P = PLANNING

R = RIGHT OF WAY

PROJECT (YEAR OF CONSTRUCTION) & TERMINI	PROJECT OBJECTIVE	TOTAL PROJECT ESTIMATE	FUNDING SOURCE	PREVIOUSLY APPROVED AMOUNT	PREVIOUSLY APPROVED ACTIVITY	FY 16 POP FUNDS (PROPOSED) AMOUNT	TOTAL FUNDS PROGRAMMED (PROPOSED)
PYRAMID FREEWAY/US-395 LINK (TBD) US-395 TO PYRAMID (PRELIMINARY DESIGN ONLY)	CAPACITY IMPROVEMENT	\$9,061,464	NDOT/FED	\$9,061,464	N		\$9,061,464
SOUTHEAST CONNECTOR PHASE 2 (2015) SOUTH MEADOWS TO CLEAN WATER	CAPACITY IMPROVEMENT	\$190,000,000	RTC BOND FUEL TAX	\$140,000,000	D, R, N, C	\$50,000,000 C	\$140,000,000 \$50,000,000 \$190,000,000
MCCARRAN/PYRAMID INTERSECTION (2015)	CAPACITY IMPROVEMENT	\$66,000,000	FUEL TAX NDOT/FED	\$1,307,618 \$29,827,027	D, R D, R		\$1,307,618 \$29,827,027 \$31,134,645
N. MCCARRAN @ N. VIRGINIA INTERSECTION IMPROVEMENT (2015)	CAPACITY IMPROVEMENT	\$4,000,000	RRIF	\$4,000,000	D, C		\$4,000,000
SE MCCARRAN WIDENING S. VIRGINIA TO MIRA LOMA (PHASE 1, COMPLETE) MIRA LOMA TO GREG (PHASE 2, 2014)	CAPACITY IMPROVEMENT	\$45,000,000	RTC BOND	\$45,000,000	D, C, R		\$45,000,000
TRAFFIC ENGINEERING SPOT INTERSECTIONS 4 (2015) LOCATIONS TO BE DETERMINED	CAPACITY IMPROVEMENT	\$750,000	RRIF	\$750,000	D, C		\$750,000
TRAFFIC ENGINEERING SPOT INTERSECTIONS 5 (2016) LOCATIONS TO BE DETERMINED	CAPACITY IMPROVEMENT	\$1,000,000	RRIF			\$1,000,000 D, C	\$1,000,000
BIKE & PEDESTRIAN IMPROVEMENTS 3, 4 & 5 (2016) EVANS - 4TH TO N. MCCARRAN	CAPACITY IMPROVEMENT	\$1,350,000	RRIF CMAQ	\$67,500 \$1,282,500	D, C		\$67,500 \$1,282,500 \$1,350,000
BIKE & PEDESTRIAN IMPROVEMENTS 2016 (2016) LOCATION TO BE DETERMINED	CAPACITY IMPROVEMENT	\$1,000,000	RRIF CMAQ			\$50,000 \$950,000 D, C	\$50,000 \$950,000 \$1,000,000
TRAFFIC MANAGEMENT (2015) ITS MASTER PLAN	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$1,000,000	RRIF CMAQ	\$50,000 \$950,000	D, C		\$50,000 \$950,000 \$1,000,000
TRAFFIC MANAGEMENT 2A (2015) FIBER OPTIC CONNECTIVITY	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$996,500	RRIF CMAQ	\$49,825 \$946,675	C		\$49,825 \$946,675 \$996,500
TRAFFIC MANAGEMENT 2B (2016) ITS EQUIPMENT INSTALLATION	INTELLIGENT TRAFFIC SYSTEMS (ITS)	\$996,500	RRIF CMAQ	\$49,825 \$946,675	C		\$49,825 \$946,675 \$996,500

RRIF & RTC BOND SUMMARY:	PREVIOUSLY APPROVED	FY 16 POP FUNDS (PROPOSED)	PROPOSED TOTAL
RRIF/FUEL TAX:	\$6,274,768	\$1,050,000	
RTC BONDS:	\$185,000,000	\$50,000,000	
FEDERAL/OTHER NON RTC:	\$43,014,341	\$50,000	
TOTAL:	\$234,289,109	\$52,000,000	\$286,289,109